IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE SRI JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 19112 of 2003

Between:
Harijana Roti Kati Dakanna S/o.Thimmanna Gudipadu Village, Gudur Mandal, Kurnool District

..... PETITIONER

AND

1 The District Collector, Kurnool (Civil Supplies Wing)
2 The Executive Engineer, TBP (Thunga Badra Project) LLC(Low Level Canal) Adoni Division, Adoni, Kurnool Dist.
3 The Deputy Executive Engineer Thunga Bhadra Project, Low Level Canal, Kodumuru Sub -division, Kodumuru, Kurnool Dt
4 Assistant Executive Engineer, Thunga Bhadra Project Low Level Canal, Nagalapuram Section, Kodukmuru,
Kurnool District.
5 R.Laxmikanta Reddy, Water Works Association president (47&DC 9)S/o.R.Patnam Reddy, R/o.Gudipadu Village
Gudur Mandal, Kurnool District.

.....RESPONDENT(S)

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents, in not releasing the balance of 40 tonnes of food for work rice to the coolies even after one and half of years of completion of work as illegal arbitrary and against the very spirit of food for work programme.

For the Petitioner:MR.K.JANAKIRAMI REDDY

For the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following Order:

In this writ petition, petitioner complains the callousness action of the respondents in not releasing the balance 40 tonnes of rice to the coolies who were engaged for execution of the road work under “food for work” programme.

It is stated that the petitioner was allotted the work to lay the road for Jeep track in the side of canal in order to provide employment to the labour. The work started on 27-12-2001 and completed on 01-01-2002 by engaging 83 workers per day and the total labourers worked is 3540. The total rice sanctioned for the above work is 35.221 tonnes, but only 10 tonnes of rice was distributed to the workers and the balance of 25.221 tonnes has to be distributed to the workers. Though the work is completed to the full satisfaction and number of representations were made and the second respondent requested the first respondent in his letter dated 01-11-2002 to release rice to enable him to distribute to the workers, the first respondent did not take any action. In view of the same, petitioner moved this Court by way of present writ petition.

The learned Government Pleader for Civil Supplies on instructions submits before this Court that the petitioner in this writ petition has filed W.P.No.19570 of 2003 seeking release of rice under “food for work” programme and pursuant to the orders of this Court the respondents have released 37 tonnes of rice meant for “food for work” scheme.

On the other hand, learned counsel for the petitioner asserts that the release of rice pursuant to the orders in W.P.No.19570 of 2003 relates to some other work, but not the present work. Therefore, respondents are under obligation to release the rice payable to the labourers whose services were engaged for completion of road under “food for work” programme.

Having regard to the facts and circumstances of the case, respondents are hereby directed to release the balance rice for due execution of the road work as requested by the 2nd respondent in his letter dated 01-11-2002 & 05-02-2003 forthwith after due verification of the quantity of rice to be released for the said work.

Writ Petition is accordingly disposed of. No costs.

Rkk

24-6-2004

Assistant Registrar

//True copy//

Section Officer

To

1 The District Collector, Kurnool (Civil Supplies Wing)
2 The Executive Engineer, TBP (Thunga Badra Project) LLC(Low Level Canal) Adoni Division, Adoni, Kurnool Dist.
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Gudur Mandal, Kurnool District.
6. Two CCs to G.P for Civil Supplies, High Court Buildings, Hyderabad (OUT)
7. Two C.D copies